

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN MORROW,	:	Case No. 3:11-cv-11
	:	
Plaintiff,	:	Judge Timothy S. Black
vs.	:	
COMMISSIONER OF	:	
SOCIAL SECURITY,	:	
	:	
Defendant.	:	

ORDER THAT: (1) THIS MATTER BE REMANDED TO THE ALJ UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g); AND (2) THIS CASE BE CLOSED

This social security case is before the Court on the parties' joint motion for remand. (Doc. 12). The parties stipulate and petition this Court to enter an order and judgment reversing the final decision¹ of the Commissioner of Social Security pursuant to the fourth sentence of 42 U.S.C. § 405(g), with remand to the Commissioner for further administrative proceedings and a new decision.

IT IS THEREFORE ORDERED that the decision of the Commissioner to deny Plaintiff benefits be and is **REVERSED**, and this matter be and is **REMANDED** under sentence four of 42 U.S.C. § 405(g).²

¹ This was a partially favorable decision, with Plaintiff being found disabled for a closed period from October 31, 2005 through January 16, 2008. (Tr. at 10, 21). The parties are in agreement that this particular finding should be left undisturbed on remand. (Doc. 12 at fn 1).

² That portion of the decision reflecting a finding that Plaintiff was disabled for a closed period from October 31, 2005 through January 16, 2008 shall not be disturbed on remand. (Tr. at 10, 21).

Upon receipt of this Order, the Appeals Council shall remand the matter to an administrative law judge for a new hearing and a new decision, with instruction to the administrative law judge to consider treating source opinion evidence and to further evaluate the credibility of Plaintiff's statements.

IT IS SO ORDERED.

Date: 9/26/11

Timothy S. Black
Timothy S. Black
United States District Judge